

Calendar No. 902

110TH CONGRESS
2D SESSION

S. 3339

[Report No. 110–433]

To amend chapter 33 of title 38, United States Code, to clarify and improve authorities relating to the availability of post-9/11 veterans educational assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 26, 2008

Mr. AKAKA, from the Committee on Veterans' Affairs, reported the following original bill; which was read twice and placed on the calendar

A BILL

To amend chapter 33 of title 38, United States Code, to clarify and improve authorities relating to the availability of post-9/11 veterans educational assistance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CLARIFICATION AND IMPROVEMENT OF AU-**
2 **THORITIES RELATING TO POST-9/11 EDU-**
3 **CATIONAL ASSISTANCE FOR MEMBERS OF**
4 **THE ARMED FORCES AND VETERANS.**

5 (a) MODIFICATION OF BASE AMOUNTS OF EDU-
6 CATIONAL ASSISTANCE.—Section 3313(c)(1) of title 38,
7 United States Code, is amended—

8 (1) in subparagraph (A), by striking “may not
9 exceed” and all that follows and inserting “may not
10 exceed the amount as follows:

11 “(i) In the case of an individual en-
12 rolled in an institution of higher learning
13 located in the United States, the maximum
14 amount of established charges regularly
15 charged in-State students for full-time pur-
16 suit of approved programs of education for
17 undergraduates by the public institution of
18 higher learning offering approved pro-
19 grams of education in the State in which
20 the individual is enrolled that has the high-
21 est rate of regularly charged established
22 charges for such programs of education
23 among all public institutions of higher
24 learning in such State offering such pro-
25 grams of education.

1 “(ii) In the case of an individual en-
2 rolled in an institution of higher learning
3 located in the United States who is pur-
4 suing a program of education at a branch
5 of such institution that is located outside
6 the United States, the maximum amount
7 of established charges regularly charged in-
8 State students for full-time pursuit of ap-
9 proved programs of education for under-
10 graduates by the public institution of high-
11 er learning offering approved programs of
12 education in the State in which is located
13 the institution in which the individual is
14 enrolled that has the highest rate of regu-
15 larly charged established charges for such
16 programs of education among all public in-
17 stitutions of higher learning in such State
18 offering such programs of education.

19 “(iii) In the case of an individual en-
20 rolled in an institution of higher learning
21 not located in the United States, the aver-
22 age amount of established charges charged
23 in-State students for full-time pursuit of
24 approved programs of education for under-
25 graduates by public institutions of higher

1 learning throughout the United States dur-
2 ing the preceding academic year.”; and

3 (2) in subparagraph (B)(i), by striking “month-
4 ly housing stipend amount” and all that follows and
5 inserting “monthly housing stipend in an amount as
6 follows:

7 “(I) In the case of an individual
8 enrolled in an institution of higher
9 learning located in the United States,
10 an amount equal to the monthly
11 amount of the basic allowance for
12 housing payable under section 403 of
13 title 37 for a member with dependents
14 in pay grade E-5 residing in the mili-
15 tary housing area that encompasses
16 all or the majority portion of the ZIP
17 code area in which is located the insti-
18 tution of higher learning at which the
19 individual is enrolled.

20 “(II) In the case of an individual
21 enrolled in an institution of higher
22 learning located outside the United
23 States, an amount equal to the aver-
24 age monthly amount of the basic al-
25 lowance for housing payable under

1 section 403 of title 37 for a member
2 with dependents in pay grade E-5 re-
3 siding in the continental United
4 States.”.

5 (b) PUBLIC-PRIVATE CONTRIBUTIONS FOR ADDI-
6 TIONAL EDUCATIONAL ASSISTANCE.—

7 (1) IN GENERAL.—Subsection (a) of section
8 3317 of such title is amended by striking the first
9 sentence and inserting the following new sentences:
10 “The Secretary shall carry out a program under
11 which a college or university (other than a propri-
12 etary for-profit college or university) may, through
13 voluntary contributions, cover a portion of the estab-
14 lished charges for an approved program of education
15 of an individual entitled to educational assistance
16 under this chapter that would not otherwise be cov-
17 ered by section 3313(c)(1)(A). Subject to subsection
18 (d), such contributions shall be matched by equiva-
19 lent contributions toward such costs by the Sec-
20 retary.”.

21 (2) REQUIREMENTS FOR PARTICIPATING INSTI-
22 TUTIONS.—Subsection (c) of such section is amend-
23 ed to read as follows:

1 “(c) REQUIREMENTS FOR PARTICIPATING INSTITU-
 2 TIONS.—A college or university participating in the pro-
 3 gram under this section shall—

4 “(1) offer the same percentage of additional as-
 5 sistance to all individuals receiving educational as-
 6 sistance under this section who are pursuing a pro-
 7 gram of education at the college or university;

8 “(2) submit to the Secretary a report on the
 9 manner (whether by direct grant, scholarship, or
 10 otherwise) by which the college or university shall
 11 cover portions of the established charges of individ-
 12 uals under the program; and

13 “(3) submit to the Secretary a report on the
 14 amount of the contribution to be made by the college
 15 or university for each individual covered by the pro-
 16 gram.”.

17 (3) MATCHING CONTRIBUTIONS.—Paragraph
 18 (1) of subsection (d) of such section is amended to
 19 read as follows:

20 “(1) IN GENERAL.—The amount of any match-
 21 ing contribution by the Secretary under the program
 22 under this section with respect to the pursuit of a
 23 program of education by an individual entitled to
 24 educational assistance under this chapter may not
 25 exceed an amount equal to 50 percent of any costs

1 for tuition and mandatory fees for the individual's
 2 pursuit of the program of education that are not
 3 otherwise covered under section 3311(c)(1)(A).”.

4 (4) REGULATIONS.—Subsection (e) of such sec-
 5 tion is amended to read as follows:

6 “(e) REGULATIONS.—The Secretary shall prescribe
 7 regulations to carry out the program required by this sec-
 8 tion.”.

9 (c) INTERIM IMPLEMENTATION AUTHORITY.—Sec-
 10 tion 5003 of the Post-9/11 Veterans Educational Assist-
 11 ance Act of 2008 (title V of Public Law 110–252) is
 12 amended by striking subsection (d) and inserting the fol-
 13 lowing new subsections:

14 “(d) ANTICIPATION OF IMPLEMENTATION.—The Sec-
 15 retary of Veterans Affairs shall take appropriate actions
 16 to ensure that this section and the amendments made by
 17 this section are implementable on the effective date pro-
 18 vided in subsection (e)(1), including the prescription of
 19 such interim and final regulations for purposes of this sec-
 20 tion and the amendments made by this section as the Sec-
 21 retary considers appropriate.

22 “(e) EFFECTIVE DATE.—

23 “(1) IN GENERAL.—Except as provided in para-
 24 graph (2), this section and the amendments made by
 25 this section shall take effect on August 1, 2009.

1 “(2) IMPLEMENTATION.—Subsection (d) shall
2 take effect on the date of the enactment of this
3 Act.”.

4 (d) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on June 30, 2008, as if in-
6 cluded in the Post-9/11 Veterans Educational Assistance
7 Act of 2008, to which such amendments relate.

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